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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/708,618
		Filing Date	March 16, 2004
		First Named Inventor	Susumu Noda
		Art Unit	2874
		Examiner Name	Ellen E. Kim
Total Number of Pages in This Submission	16	Attorney Docket Number	39.040

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Judge Patent Firm		
Signature			
Printed name	James W. Judge		
Date	December 3, 2004	Reg. No.	42,701

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No.	:	10/708,618	Confirmation No. 2617
Applicant	:	Susumu Noda, et al.	
Filed	:	March 16, 2004	
Tech. Cntr./Art Unit	:	2874	
Examiner	:	Ellen E. Kim	
Docket No.	:	39.040	
Customer No.	:	29453	

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This constitutes an Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98. The attached documents listed on the accompanying Form PTO/SB/08A are hereby brought to the Examiner's attention in the patent application identified above.

REMARKS

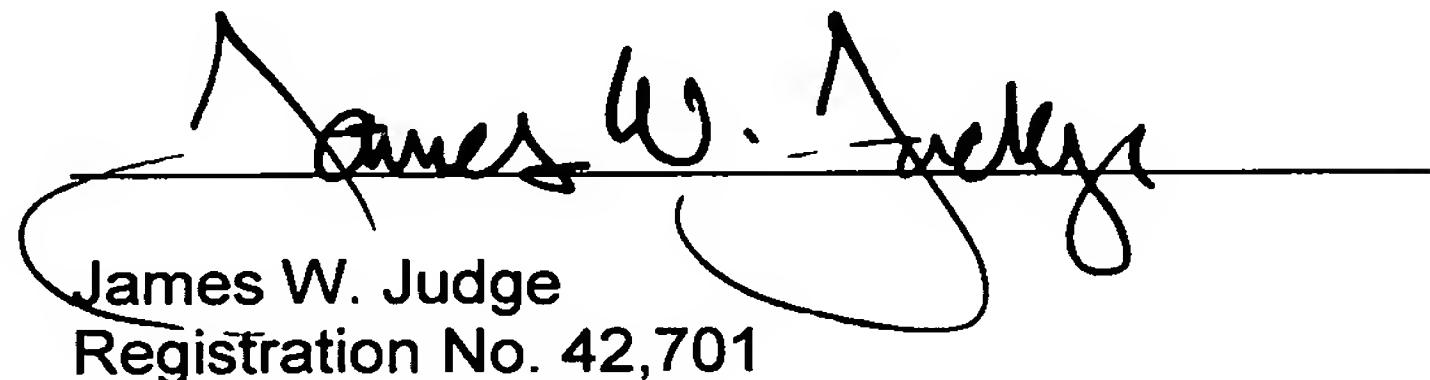
Cite Nos. U1 and O1, listed on Form PTO/SB/08A submitted herewith, were cited in a communication from the European Patent Office in a counterpart application.

For the Examiner's reference, a copy of the European Search Report also accompanies this paper. Of the four references cited in the Search Report, the non-patent documents titled "Momentum space design of high-Q photonic crystal optical cavities," and "Design of a channel drop filter by using a donor-type cavity with high-quality factor in a two-dimensional photonic crystal slab" have already been submitted in an IDS dated June 14, 2004 in the instant case, and because they are thus cumulative to material already made of record, the references are not being submitted here.

The Examiner is respectfully requested to consider these references, and to indicate so on the accompanying Form PTO/SB/08A and make the document of record in the present application.

Respectfully submitted,

December 3, 2004



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Registration No. 42,701

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PTO/SB/08A (10-01)

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

<p>control number.</p> <p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>				<p>Complete if Known</p>	
Sheet	1	of	1	Application Number	10/708,618
				Filing Date	March 16, 2004
				First Named Inventor	Susumu Noda
				Art Unit	2874
				Examiner Name	Ellen E. Kim
				Attorney Docket Number	39.040

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (10-01)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 1

Complete if Known

Application Number	10/708,618
Filing Date	March 16, 2004
First Named Inventor	Susumu Noda
Group Art Unit	2874
Examiner Name	Ellen E. Kim
Attorney Docket Number	39.040

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	O1	Joon Huh, et al., "Nondegenerate monopole mode of single defect two-dimensional triangular photonic band-gap cavity," Journal Of Applied Physics, American Institute of Physics, Vol. 92, No. 2, July 15, 2002, pp. 654-659.	

Examiner
Signature

Date
Considered

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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